



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Lonnie O. Ingram, *et al.*

Serial No.: 10/001,218

Filed: November 30, 2001

For: *ETHANOL PRODUCTION IN GRAM-POSITIVE MICROBES*

Attorney Docket No.: 49950-59824CON4

Group Art Unit: 1652

Examiner: SAIDHA, TEKCHAND

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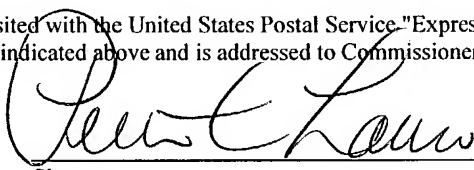
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

"Express Mail" mailing label number ER 236679735 US Date of Deposit November 17, 2004

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Peter C. Lauro, Esq.

Please Print Name of Person Signing

  
Signature

**NOTIFICATION OF CHANGE OF ENTITY STATUS**

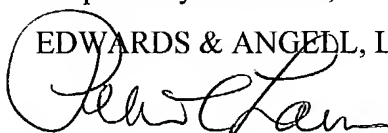
Dear Sir:

Upon filing of the above-referenced U.S. continuation application under 37 CFR 1.53(b), a claim for small entity status was made pursuant to 37 CFR 1.27(c)(4) in the application transmittal that was filed with the application on November 30, 2001. Subsequently, it was discovered that small entity status was erroneously claimed in the above-referenced application without any deceptive intent. Accordingly, Applicants submit this paper to notify the Commissioner of the application's loss of entitlement to small entity status.

Applicants submit concurrently herewith a Request under 37 C.F.R. §1.28(c) to excuse error in payment of small entity fees, an Issue Fee Transmittal, and the issue fee and related fees based on large entity status.

Respectfully submitted,

EDWARDS & ANGELL, LLP

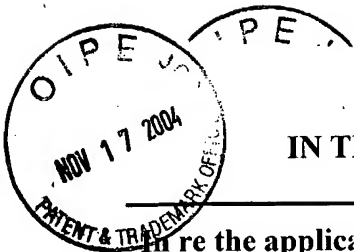


Peter C. Lauro, Esq.

Registration No. 32,360

Attorney for Applicants

Customer No.: 21874



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Sir:

**REQUEST UNDER 37 C.F.R. §1.28(c) TO EXCUSE ERROR**  
**IN PAYMENT OF SMALL ENTITY FEES.**

It has been discovered that small entity status was erroneously established in the above-referenced application and certain fees in connection with the prosecution of the application were erroneously paid as a small entity without any deceptive intent. Upon a review of the circumstances, it is presently believed that the large entity fees should have been paid. Because it was not appreciated that small entity status was erroneously established, without any deceptive intent, no notification of change in status resulting in loss of entitlement to small entity status was filed in the Office, as required under 37 C.F.R. 1.28(b).

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Attorney Docket No. 49950-59824CON4

In accord with the provisions of 37 C.F.R. §1.28(c), the deficiency between the amount paid and the amount due is submitted herewith, wherein the deficiency calculated based on the fee, for other than small entity, in effect at the time the deficiency is paid in full. The fee is calculated on the attached schedule showing the fees actually paid and the present fee in effect for other than small entity.

Further, in accord with the provisions of 37 C.F.R. §1.28(c), it is requested that the error be excused. A check in the amount of \$2,751.00 is enclosed. If any additional fee is required, the Commissioner is authorized hereby to charge Deposit Account No. 04-1105.

Respectfully submitted,

EDWARDS & ANGELL, LLP

By:



Peter C. Lauro, Esq.  
Registration No. 32,360  
Attorney for Applicants

Date: November 17, 2004

101 Federal Street  
Boston, MA 02110  
(617) 517-5509

Customer No.: 21874

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<b>Date</b>	<b>Description of Fee</b>	<b>Fee Actually Paid</b>	<b>Present Large Entity Fee</b>	<b>Fee Due</b>
8/21/02	Filing Fee	\$370.00	\$790.00	\$420.00
8/21/02	Extra Claims (1 independent)	\$42.00	\$88.00	\$46.00
8/21/02	Late Filing Fee Surcharge	\$65.00	\$130.00	\$65.00
8/21/02	5 Month EOT	\$980.00	\$2080.00	\$1100.00
1/27/04	3 Month EOT	\$475.00	\$980.00	\$505.00
1/27/04	IDS Fee	\$180.00	\$180.00	\$0.00
7/20/04	3 Month EOT	\$475.00	\$980.00	\$505.00
7/20/04	StatutoryDisclaimer Fee (2)	\$110.00	\$220.00	\$110.00

TOTAL FEE DUE: \$2,751.00



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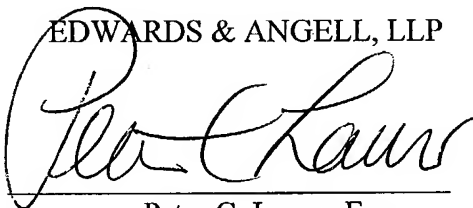
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